

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SYMBOLGY INNOVATIONS, LLC

Plaintiff,

vs.

HEALTHCARE SERVICES
CORPORATION d/b/a BLUE CROSS
BLUE SHIELD OF TEXAS, INC.

Defendant.

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Case No: 2:15-cv-1415-RWS-RSP

**MOTION TO DISMISS DEFENDANT HEALTHCARE SERVICES CORPORATION
d/b/a BLUE CROSS BLUE SHIELD OF TEXAS, INC. WITHOUT PREJUDICE**

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, Plaintiff Symbolgy Innovations, LLC files this Motion to Dismiss Defendant Healthcare Services Corporation d/b/a Blue Cross Blue Shield of Texas, Inc. (“Defendant”) Without Prejudice. Plaintiff notes that Defendant has filed neither an answer nor a motion for summary judgment.

Wherefore, Symbolgy Innovations, LLC moves this Court to dismiss this action and all claims by Symbolgy Innovations, LLC against Defendant without prejudice, with each party to bear its own costs, attorney’s fees and expenses and request that the Court enter the proposed order of dismissal submitted herewith.

Dated: July 5, 2016

Respectfully submitted,

/s/ Jay Johnson

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CERTIFICATE OF SERVICE

The undersigned certifies that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on July 5, 2016.

/s/ Jay Johnson

Jay Johnson